

Appl. No. 10/031,481
Atty. Docket No. 7679
Amdt. dated September 14, 2004
Reply to Office Action of May 14, 2004
Customer No. 27752

REMARKS

Claims 17-27 and 48 are pending in the present application. No additional claims fee is believed to be due. Claims 17, 18, 19, 20, 21, 26, and 27 have been amended.

Notably Claims 17 and 19 have been amended in an attempt to conform the claims to the subject matter that has been indicated by the Office Action as allowable.

New Claim 48 has been added. Basis for the claim is found at *inter alia* page 3, lines 29-30 (referencing the specification per WO 01/07710).

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested

35 USC 112.

The Office Action rejects claims 18-19, 22-23 and 27 under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action points to two separate rejections under 35 USC 112. .

Claims 18-19, 22-23, and 27 are allegedly not clear as to the scope of a "conventional nonionic surfactant." In response, Applicant amends the claims from "conventional nonionic surfactant" to "nonionic nonsilicone surfactants" (to distinguish from the species of nonionic *silicone* surfactants).

Claim 19 allegedly lacks sufficient antecedent basis for the limitations of: "said nonionic silicone surfactant," conventional nonionic surfactant," and "said ionic surfactant." In response, Applicant amend Claim 19 such that the surfactant system is chosen from: (i) a nonionic silicone surfactant; (ii) a nonionic nonsilicone surfactant; or (ii) an ionic surfactant.

In view of the foregoing claim amendments, Applicant submits the 35 USC 112 rejections are overcome.

35 USC 102/103

The Office Action rejects claims 17 and 21 under 35 USC 102(e) / 103(a) over Colurciello (U.S. Pat. No. 6 221 833) and claim 24 under 35 USC 103(a) over Colurciello (U.S. Pat. No. 6 221 833).

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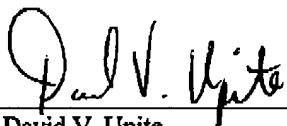
However, the Office Action states that Claims 18-19, 20, 22-23, 25-26, and 27 would be allowable if rewritten to overcome the rejection(s) under 35 USC 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claims and any intervening claims. The Office Action correctly finds that Celluriello does not teach or fairly suggest the use of a) the specific buffer system set forth in Claim 18 and 27; and b) the surfactant system set forth in Claims 19 and 27.

In response, Applicant amends the claims to the allowed subject matter. To this end, Applicant amends *inter alia* Claim 17 to include the specific buffer system limitation from Claim 18 (or Claim 27). Applicant amends Claim 19 as an independent claim (which claims *inter alia* a specific surfactant system). In view of these claim limitations, Applicant respectfully submits the rejections under 35 USC 102(e)/103(a) over Colurciello are now overcome.

Conclusion

Claims 17-27, and 28 are now allowable. Early and favorable action in the case is respectfully requested.

Respectfully submitted,
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